



Ken Sibanda Esq &lt;kissinger.sibanda@gmail.com&gt;

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## Compliance with LR 7.3.

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**Ashlee Lin** <alin@eisnerlaw.com>

Wed, Dec 23, 2020 at 4:08 PM

To: Ken Sibanda &lt;kissinger.sibanda@gmail.com&gt;, Michael Eisner &lt;Meisner@eisnerlaw.com&gt;, Karen Wilkes &lt;kwilkes@eisnerlaw.com&gt;

Mr. Sibanda,

As an initial matter, the condescending and disrespectful nature of your more recent correspondence is not well taken. We have thus far shown you leniency beyond the standard professional courtesies given that you are a pro se litigant, including in not opposing your request to file an untimely Motion to Dismiss. However, given your insistence that you are well-versed in the practice of trial and litigation (with experience that apparently eclipse my "mere JD"), we understand that will no longer be necessary.

I frankly do not understand the questions you raise below. I have repeatedly explained to you how the Court has both personal and subject matter jurisdiction over the claims asserted in the complaint. I have also explained to you the frivolousness of your contention that Gemini Man infringes your book. I have read enough of the book to understand that.

Please keep in mind that our client only filed this litigation because you reached out and repeatedly threatened to file a meritless suit against it. Our client was not the one who initiated this dispute.

I do believe the parties are at an impasse with respect to the issues you have indicated you intend to raise in your motion to dismiss.

Best,  
Ashlee

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